



**TITLE:** PTE/ROW Delay Damages

**DATE:** 04/11/2017

**PROJECT:** Construction Package No. 4

**CONTRACT NO:** 1

**CONTRACTOR:** Attn: Antonio Canete  
400 N F Street  
Wasco, CA 93280

**DESCRIPTION OF CHANGE:**

The Authority recognizes that certain direct costs have been incurred by CRB related to impacts due to the Authority's inability to provide access to properties within the Project ROW as required per the Design-Build Contract. This Change Order sets aside an amount not-to-exceed (NTE) \$250,000.00 toward those direct delay damages associated with environmental surveys and investigations.

CRB shall submit a Task Order Proposal for each request against this NTE amount identifying the direct cost impact and include an explanation of how those costs are related to delayed access to Project ROW.

PCO	Payment Item	Description	Quantity	Units	Unit Price	Net Amount	Time Adj. (Days)
00001		This Not-to-Exceed (NTE) is intended to cover current impacts (direct delay damages) due to Authority's failure to provide access to ROW per contract dates. These costs are limited to environmental surveys and investigations.	1.0	LS	\$250,000.00	\$250,000.00	0

**Total:** \$250,000.00 0

**ATTACHMENTS:** None.

Contractor	California High Speed Rail Authority		
Acceptance by	Submitted by	Recommended by	Approved by

**TITLE:** PTE/ROW Delay Damages

**DATE:** 04/11/2017

**PROJECT:** Construction Package No. 4

**CONTRACT NO:** 1

**Release of Claims**

Except as modified by this Change Order, all terms and conditions of the Contract, as previously modified, remain unchanged and in full force and effect. The parties agree that this Change Order is a final and equitable adjustment of the Contract time and Contract amount and constitutes a mutual accord and satisfaction of all claims, current or future, of whatever nature caused by or arising out of the facts and circumstances surrounding this Change Order including, but not limited to, direct, indirect and consequential costs; additional time for performance; and the impact of the modifications specified in this Change Order, alone or taken with other changes, on the unchanged Work.

**Contractor's Sworn Certification**

By executing this Change Order for the Contractor below, the undersigned for the Contractor certifies as true, under penalty of perjury (under the laws of California, executed in Fresno, California), as follows:

This Change Order is made in good faith and in accordance with the terms of the Contract.

The amount of time and/or compensation requested accurately reflects the appropriate adjustments and includes all known and anticipated impacts or amounts that may be incurred as a result of the event or matter giving rise to such proposed change.

The Contractor has no reason to believe and does not believe that the factual basis for this Change Order is falsely represented.

The Contractor has investigated the basis for each Subcontractor claim and has determined that each such claim is justified as to entitlement and amount of money and/or time requested and has no reason to believe and does not believe that the factual basis for the Subcontractor's claim is falsely represented.

**Subcontractor's Sworn Certification(s):**


Attached as \_\_\_\_\_ [indicate "none" if no such Subcontractors are involved] are sworn certifications from each Subcontractor involved in the Work or event contemplated by this Change Order in the form above.

Acceptance by Signature 	Antonio Canete - Project Director and CEO of CRB	Date 04/12/2017
--	--	--------------------

**HNTB Corporation**

Submitted by Signature 	Claudio Dallavalle - Design-Build Oversight Manager	Date 4-12-2017
---	---	-------------------

Recommended by Signature 	Benjamin Camarena - Design & Construction Manager	Date 13 APRIL 17
---	---	---------------------

Approval by Signature 	Terry Ogle - Director of Design & Construction	Date 13 APRIL 17
--	--	---------------------

Initials Acknowledging Page 2 of 2

Contractor	California High Speed Rail Authority		
Acceptance by 	Submitted by 	Recommended by 	Approved by 